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Date: Tuesday, May 2, 2006To: Examiner: Luke D. RATCLIFFE Group Art Unit: 3662Firm/Company: United States Patent and Trademark OfficeFax Number: 571-273-8300From: Robert J. Schneider, Reg. No. 27,383 Matter Number: 1715663Serial No. U.S. Pat. App. Ser. No. 10/824,234 Extension: 3919

Comments:

RESPONSE TO OFFICE ACTION ATTACHED.

Robert J. Schneider

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MAY 02 2006

U.S. Pat. App. Ser. No. 10/824,234
Attorney Docket No. 1715663

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Fumio OHTOMO et al.

Serial No.: 10/824,234

Filing Date: April 14, 2004

For: ELECTRONIC SURVEYING
APPARATUS

Examiner: RATCLIFFE, Luke D.

Group Art Unit: 3662

Confirmation No.: 6337

FILED VIA FACSIMILE TO 571-273-8300

Mail Stop AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Greetings:

The following is filed in timely response to the non-final Office Action mailed on January 5, 2006, wherein the Examiner:

1. Rejected Claims 1, 4, 6, and 8 under 35 U.S.C. §102(e) as being anticipated by *Riegl*, U.S. Pub. No. 2003/0090646.
2. Rejected Claims 2, 3, 5, 7, 9, 14, 15, and 16 under 35 U.S.C. §103(a) as being unpatentable over *Riegl* in view of *Yoshida*, U.S. Pat. No. 6,229,598.
3. Rejected Claim 10 and 17 under 35 U.S.C. §103(a) as being unpatentable over *Riegl* in view of *Lundberg*, U.S. Pat. No. 5,100,229.

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4. Rejected Claim 11 under 35 U.S.C. §103(a) as being unpatentable over *Riegl* in view of *Yoshida*, as applied to claim 2 above, and further in view of *Lundberg*.

5. Rejected Claim 12 under 35 U.S.C. §103(a) as being unpatentable over *Riegl* in view of *Julian*, U.S. Pat. No. 5,671,160.

6. Rejected Claims 13 and 18 under 35 U.S.C. §103(a) as being unpatentable over *Riegl* in view of in view of *Yoshida*, as applied to claims 2 and 3 above, and further in view *Julian*.

The following amendments and remarks are submitted in response.

Amendments to the Claims begin on page 3 of this paper.

Remarks begin on page 8 of this paper.